## FEDERAL COMMUNICATIONS COMMISSION 445 TWELFTH STREET SW WASHINGTON DC 20554

**MEDIA BUREAU AUDIO DIVISION APPLICATION STATUS: (202) 418-2730** HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER TELEPHONE: (202) 418-2767 FACSIMILE: (202) 418-1410

E-MAIL: charles.miller@fcc.gov

March 14, 2011

David Tillotson, Esq. 4606 Charleston Terrace, NW Washington, DC 20007-1911

> Re: Northern Star Broadcasting, LLC

> > WLJZ(FM), Mackinaw City, Michigan Facility Identification Number: 53290

Special Temporary Authority

## Dear Counsel:

This is in reference to the request filed March 10, 2011, on behalf of Northern Star Broadcasting, LLC ("NSB"). NSB requests special temporary authority ("STA") to operate Station WLJZ with temporary facilities. In support of the request, NSB states that it has replaced its licensed antenna, which was damaged by lightning. NSB states that, due to unforeseen mounting issues, the new antenna was mounted six meters lower than the licensed antenna. NSB states that it has filed an application for construction permit to specify the new antenna height, and requests STA for operation with the new antenna pending the processing of the application.

Our review indicates that good cause has been shown for grant of the requested STA, and that no interference to other stations is likely to result.

Accordingly, the request for STA IS HEREBY GRANTED. Station WLJZ may operate with the following facilities:

Geographic coordinates:

45° 40′ 00″ N, 84° 38′ 05″ W (NAD 1927)

Channel

233 (94.5 MHz)

Effective radiated power:

40 kilowatts (H&V)

Antenna height:

above ground:

77 meters

above mean sea level:

318 meters

above average terrain:

110 meters

NSB must notify the Commission when licensed operation is restored. NSB must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

<sup>&</sup>lt;sup>1</sup> WLJZ is licensed for operation on Channel 233C2 (94.5 MHz) with effective radiated power of 40 kilowatts (H&V) and antenna height above average terrain of 324 meters.

This authority expires on **September 14, 2011**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

Charles N. Miller, Engineer

Audio Division Media Bureau

cc: Northern Star Broadcasting, LLC